

Express Mail Label: EV 801120457 US
Amendment dated July 7, 2006

Application No. 10/760,005
Attorney Docket No.: R0406-00010
Attorney Reference No.: 52504-00002

REMARKS

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Claims 1-15 remain in the application. Claims 1, 7 and 12 have been amended. Claims 16-22 have been cancelled. No claim has been added. Applicant respectfully requests allowance of each of pending claims 1-15

The Rejections under 35 U.S.C. §102

Claims 1-2, 5-7, 9-12, 14-16 and 21-22 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,873,685 to Chong (hereinafter referred to as "Chong").

The independent claim 1 is directed to a telecommunication multi-service transport system comprising at least one service card providing a predetermined telecommunication service, and at least one protection card for replacing the service card when the service card fails. The protection card further comprises one or more test ports connectable to an external testing tool, one or more protection circuits, and at least one selection module associated with the test ports for allowing the testing tool to be connected to the protection circuits through at least one test port for testing the service card when the protection card is in a standby mode and for disconnecting the testing tool from the protection circuits when the service card fails. The selection module is integrally embedded on a single protection card that is capable of replacing the service card when the service card fails.

Chong fails to teach or suggest the claimed invention where a selection module is integrally embedded on a single protection card that is capable of replacing the service card when the service card fails. Chong teaches a redundant modem card 122 that can be activated to function as a regular modem card 120 (see, FIG. 3 and abstract). It also

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teaches a test and switching unit 130 that may selectively route signals to or from the redundant modem card 122 (see, FIG. 3 and col. 6, lines 1-5). However, the redundant modem card 122 and the test and switching unit 130 are two separate cards joined by an interface module 160 (see, FIG. 3). Nowhere in Chong describe a selection module embedded on the redundant modem card 122, nor does it ever mention that the test and switching unit 130 can replace the regular modem card 120. Thus, neither the redundant modem card 122 nor the test and switching unit 130 is comparable to the claimed protection card.

As such, Chong cannot anticipate the independent claim 1 under section 102. For the same reasons discussed above, Chong cannot anticipate the independent claims 7 and 12, either. Accordingly, claims 2, 5, 6, 9-11, 14 and 15 that depend on claim 1, 7 or 12 are patentable over the cited prior art reference as well. Claims 16, 21 and 22 have been cancelled. Thus, the rejections directed to them are moot.

The Rejections under 35 U.S.C. §103

Claims 3-4, 8, 13 and 18-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chong in view of U.S. Patent Application Publication No. 2004/0076166 to Patenaude (hereinafter referred to as "Patenaude").

As discussed above, independent claims 1, 7 and 12 are patentable over Chong under section 102. Accordingly, claims 3-4, 8, and 13 that depend on claim 1, 7 or 12 are patentable over Chong and Patenaude under section 103. Claims 18 and 19 have been cancelled. Thus, the rejections directed to them are moot.

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CONCLUSION

Applicant has made an earnest attempt to place this application in an allowable form. In view of the foregoing remarks, it is respectfully submitted that the pending claims are drawn to novel subject matter, patentably distinguishable over the prior art of record. The Examiner is therefore, respectfully requested to reconsider and withdraw the outstanding rejections.

Should the Examiner deem that any further clarification is desirable, the Examiner is invited to telephone the undersigned at the below listed telephone number.

Respectfully submitted,

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